

July 22, 2022

VIA CM / ECF FILING

The Honorable Nancy E. Brasel
U.S. District Court for the District of Minnesota
300 South Fourth Street
Courtroom 13W
Minneapolis, MN 55415

Re: *Speed RMG Partners, LLC, et al. v. Arctic Cat Sales Inc., et al.*
Case No. 0:20-cv-00609 NEW/LIB
Request To Be Excused From Appearance At Pretrial Conference

Dear Judge Brasel:

On June 28, 2022, the Court issued a Trial Notice and Final Pretrial Conference Order. (Dkt. 440.) Among other things, that Order set a pretrial conference on November 21, 2022, at 10:00 a.m. Central Time and ordered that “[a]ll attorneys who will try the case must attend.” (*Id.* at 1.)

The attorneys who will try this case on behalf of Plaintiffs are the undersigned (Steven Goon), Steven Nichols, and Lucas Hori. Messrs. Nichols and Hori will attend the pretrial conference. At this time, I am scheduled to be participating as lead counsel in a conflicting jury trial beginning on November 14, which will continue through the week of November 21. That trial will take place in the Superior Court of California, County of Orange, in the matter captioned *Jaime Gonzalez v. Cardflex, Inc. d/b/a CLIQ, et al.*, Case No. 30-2020-01167161-CU-BC-CJC, before the Honorable Melissa R. McCormick. The trial date was set on February 23, 2022.

Given this conflict, the purpose of this letter is to respectfully request that my appearance at the pretrial conference be excused. In connection with that request, I attest that I will review a transcript of the pretrial proceeding to ensure that I am aware of any trial directives. Further, if my conflicting California trial is reset or settled, I will attend the pretrial conference in person. Counsel for Defendants has indicated that they do not oppose this request, which is filed in letter format with the Court’s authorization. The enclosed Declaration of Steven J. Goon provides documentation supporting this request.

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We are willing to provide any additional information that the Court may require, and will promptly advise the Court if the conflict is resolved.

Respectfully submitted,

RUTAN & TUCKER, LLP

/s/ Steven J. Goon

Steven J. Goon

SJG:lh
Enclosure

cc: All CM / ECF Filing Recipients